

F. JAMES SENSENBRENNER, JR.

FIFTH DISTRICT, WISCONSIN

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February 7, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Pruitt:

Last year, the Environmental Protection Agency (EPA) indicated that it intends to designate large swaths of eastern Wisconsin, including multiple counties in my congressional district, as nonattainment areas under the 2015 ozone National Ambient Air Quality Standards (NAAQS).¹ This decision was made despite a request from Governor Scott Walker that your agency designate all counties in Wisconsin as achieving attainment for the 2015 ozone NAAQS of 70 parts per billion (ppb), explaining that in-state air quality has greatly improved, and elevated ozone levels were caused predominantly by out-of-state emissions.² As the Wisconsin Department of Natural Resources has noted, this situation is especially true in counties bordering Lake Michigan, where many monitors are located and have detected elevated ozone levels.³ Despite factors beyond the state's control, we have made great strides over the years to reduce emissions, evident by our largely state-wide compliance with the 2008 8-hour ozone standard of 75 ppb.⁴

The House of Representatives recently made its views on this issue quite clear, with a bipartisan majority seeking a delay in implementation of the 2015 ozone standard until 2025;⁵ as the agency continues to establish new compliance targets, the views of Congress should be taken into account.

It is vital that EPA considers all the relevant factors while evaluating air quality, as nonattainment status—and the negative connotation that often comes with it—makes it harder to attract new businesses and residents. Moreover, any unjustified designation undermines the hard work done to bring new companies, workers, and investments to the Badger State.

As such, I urge EPA to re-evaluate the methodology used to designate these Wisconsin counties as nonattainment areas under the 2015 ozone standard. Likewise, as state officials have urged, pollution from beyond our borders should be accurately accounted for, especially as it pertains to monitors located

¹ https://www.epa.gov/sites/production/files/2017-12/documents/wi_120d_tsd_rewrite_final.pdf

² <https://dnr.wi.gov/topic/AirQuality/documents/OzoneDesignationRec20160921.pdf>

³ <https://dnr.wi.gov/topic/AirQuality/documents/WDNRCommentsOzoneNAAQS20150317.pdf>

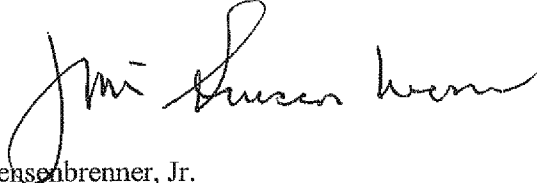
⁴ <https://dnr.wi.gov/files/PDF/pubs/am/AM550.pdf>

⁵ <https://www.congress.gov/bill/115th-congress/house-bill/806?q=%7B%22search%22%3A%5B%22hr+806%22%5D%7D&r=1>

along the Lake Michigan basin before any designation is finalized. At the very least, EPA should consider reducing the scope of its most recent nonattainment designation, as ozone data shows that inland counties continue to have lower emissions readings than lakeshore ones.⁶

Thank you for the consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "F. James Sensenbrenner, Jr.", written in a cursive style.

F. James Sensenbrenner, Jr.
Member of Congress

⁶ https://www.epa.gov/sites/production/files/2017-12/documents/wi_120d_tsd_rewrite_final.pdf